

**19-6-804 Restrictions on disposal and transfer of tires -- Penalties.**

- (1)
- (a) An individual, including a waste tire transporter, may not dispose of more than four whole tires at one time in a landfill or any other location in the state authorized by the director to receive waste tires, except for purposes authorized by board rule.
  - (b) Tires are exempt from this Subsection (1) if the original tire has a rim diameter greater than 24.5 inches.
  - (c) No person, including a waste tire transporter, may dispose of waste tires or store waste tires in any manner not allowed under this part or rules made under this part.
- (2) The operator of the landfill or other authorized location shall direct that the waste tires be disposed in a designated area to facilitate retrieval if a market becomes available for the disposed waste tires or material derived from waste tires.
- (3) An individual, including a waste tire transporter, may dispose of shredded waste tires in a landfill in accordance with Section 19-6-812, and may also, without reimbursement, dispose in a landfill materials derived from waste tires that do not qualify for reimbursement under Section 19-6-812, but the landfill shall dispose of the material in accordance with Section 19-6-812.
- (4) A tire retailer may only transfer ownership of a waste tire described in Subsection 19-6-803(28) (b) to:
- (a) a person who purchases it for the person's own use and not for resale; or
  - (b) a waste tire transporter that:
    - (i) is registered in accordance with Section 19-6-806; and
    - (ii) agrees to transport the tire to:
      - (A) a tire retailer that sells the tire wholesale or retail; or
      - (B) a recycler.
- (5)
- (a) An individual, including a waste tire transporter, violating this section is subject to enforcement proceedings and a civil penalty of not more than \$100 per waste tire or per passenger tire equivalent disposed of in violation of this section. A warning notice may be issued prior to taking further enforcement action under this Subsection (5).
  - (b) A civil proceeding to enforce this section and collect penalties under this section may be brought in the district court where the violation occurred by the director, the local health department, or the county attorney having jurisdiction over the location where the tires were disposed in violation of this section.
  - (c) Penalties collected under this section shall be deposited in the fund.

Amended by Chapter 263, 2012 General Session

Amended by Chapter 360, 2012 General Session